

**FILED**

08/31/2016

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: DA 16-0242

**ORIGINAL**

**IN THE SUPREME COURT OF THE STATE OF MONTANA**

No. DA 16-0242

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IN THE MARRIAGE OF:

HEATHER N. NAGEL,  
n/k/a HEATHER CONNOR,

Petitioner and Appellant,

and

CODY J. NAGEL,

Respondent and Appellee.

**FILED**

AUG 31 2016

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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**MOTION FOR EXTENSION OF TIME  
AND AFFIDAVIT IN SUPPORT**

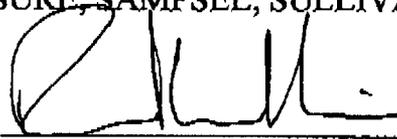
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Paul Sullivan, counsel of record for Petitioner and Appellant, respectfully requests an extension of time until September 30, 2016, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. In support of this motion, undersigned counsel respectfully submits the following affidavit.

Respectfully submitted August 31, 2016.

MEASURE, SAMPSEL, SULLIVAN & O'BRIEN, P.C.

By:



Paul Sullivan

STATE OF MONTANA            )  
   :SS.  
 County of Flathead            )

I, Paul Sullivan, pursuant to § 1-1-203, MCA, declare:

1. I am a licensed, practicing attorney in the State of Montana.
2. I am counsel of record for the Appellant in this case.
3. The Appellant's opening brief is presently due on August 31, 2016.

This is the third request for an extension.

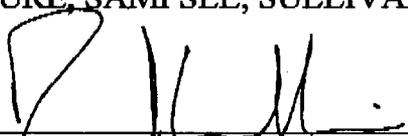
4. I am in need of additional time to complete review of the trial transcripts, research, and writing of Appellant's opening brief. Further, the parties have reached a settlement agreement and are awaiting final implementation.

5. I will work diligently to complete the matter in the time requested.
6. Opposing counsel has been contacted and does not object.
7. I declare under penalty of perjury that the foregoing is true and

correct.

DATED: August 31, 2016.

MEASURE, SAMPSEL, SULLIVAN & O'BRIEN, P.C.

By:   
 \_\_\_\_\_  
 Paul Sullivan

**CERTIFICATE OF SERVICE**

I hereby certify that I filed this Motion for Extension of Time and Affidavit  
in Support with the Clerk of the Supreme Court of Montana on August 31, 2016, at  
9:51 am.

I hereby certify that on August 31, 2016, I electronically served, mailed or  
emailed a true and accurate copy of the foregoing Motion for Extension of Time  
and Affidavit in Support to:

JENNIFER FORSYTH  
Lorang Law, PC  
410 3<sup>rd</sup> Avenue  
Havre, MT 59501

Martene Wiegand